

AMENDED IN ASSEMBLY APRIL 21, 2008

AMENDED IN ASSEMBLY MARCH 13, 2008

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 1843

Introduced by Assembly Member Garrick
(Coauthors: Assembly Members Benoit, DeVore, Gaines, Horton,
Houston, Ma, Maze, Portantino, and Villines)
(Coauthors: Senators Harman, Margett, Runner, and Wyland)

January 28, 2008

An act to add Section ~~12414~~ 13337.2 to the Government Code, relating to the ~~Controller~~ *Department of Finance*.

LEGISLATIVE COUNSEL'S DIGEST

AB 1843, as amended, Garrick. State government: ~~Controller: duties.~~ *Department of Finance*.

Existing law ~~requires~~ *establishes* the ~~Controller to keep and state all accounts in which the state has an interest, receive certain audit reports, and superintend the fiscal concerns of the state~~ *Department of Finance with general powers of supervision over all matters concerning the financial and business policies of the state, and under certain circumstances, requires the department to institute or cause the institution of investigations and proceedings to conserve the rights and interests of the state*. Existing law also requires the Department of Technology Services to serve as a general purpose technology services provider for the common technology needs of executive branch entities.

This bill would require, *on or before March 15, 2009*, the ~~Controller~~ *Department of Finance*, with the assistance of the Department of Technology Services, to ~~create and maintain~~ *develop a strategy to*

create, operate, and maintain an easily searchable database, accessible on a an Internet Web site on the Internet and with a link from the State of California Web site, providing information to the public, at no cost, regarding how the state spends state funds, as defined, on certain programs and whether the state achieved the intended results of those programs. This bill would also require, beginning no later than June 1, 2009, a state agency, as defined, that expends state funds to implement a coding system that tracks its expenditures of state funds in compliance with a statewide financial information system and matches the Budget Bill to track the Legislature's appropriation of funds in the Budget Bill through the system of state expenditures to the ultimate use of the state funds.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. This act shall be known and may be cited as the
- 2 Public Access to State Spending Program or the PASS Program.
- 3 SECTION 1.
- 4 SEC. 2. Section ~~12414~~ 13337.2 is added to the Government
- 5 Code, to read:
- 6 ~~12414.~~
- 7 13337.2. (a) The Legislature finds and declares that taxpayers
- 8 should be able to easily access information regarding how the state
- 9 is spending their tax dollars on certain programs, *goods, and assets*,
- 10 and whether the state has achieved the intended results of those
- 11 programs, *goods, and assets*. Therefore, it is the intent of the
- 12 Legislature to require the ~~Controller~~ Department of Finance, with
- 13 the assistance of the Department of Technology Services, to create,
- 14 operate, and maintain an easily searchable database, *integrated*
- 15 within a statewide fiscal information system, accessible on a an
- 16 Internet Web site providing information to the public, at no cost,
- 17 regarding how the state spends tax revenues on certain programs,
- 18 *goods, and assets*, and whether the state achieved ~~the intended~~
- 19 ~~results of those programs.~~ *its intended results.*
- 20 (b) In this section the following definitions apply, unless the
- 21 context or subject matter requires otherwise:
- 22 (1) ~~"Database" means all of the following information available~~
- 23 ~~in an easily searchable electronic format:~~

1 ~~(A) The name and principal location of each recipient of state~~
2 ~~funds.~~

3 ~~(B) The amount of state funds provided to a recipient.~~

4 ~~(C) The state agency that provided state funds to a recipient.~~

5 ~~(D) The specific fund or funds from which the state agency~~
6 ~~received the state funds it provided to the recipient.~~

7 ~~(E) The name and description of each program funded by state~~
8 ~~funds, including a description of the intended outcome or benefit~~
9 ~~of the program. Where possible, the Web site shall provide a~~
10 ~~hyperlink to the applicable program, grant, or contract.~~

11 ~~(F) The results for past expenditures of state funds to that~~
12 ~~program, if available.~~

13 ~~(G) State audits or reports relating to the recipient of state funds~~
14 ~~or a program, including a hyperlink to an audit or a report, if~~
15 ~~available.~~

16 ~~(H) Any other information specified by the Controller.~~

17 *(1) (A) "Database" means all of the following information*
18 *available in an easily searchable electronic format:*

19 *(i) The information maintained as basic system data in the fiscal*
20 *information system developed pursuant to subdivision (j) of Section*
21 *13337.*

22 *(ii) The name and principal location of each recipient of state*
23 *funds.*

24 *(iii) The amount of state funds provided to a recipient.*

25 *(iv) The state agency that provided state funds to a recipient.*

26 *(v) The specific fund or funds from which the state agency*
27 *received the state funds it provided to the recipient.*

28 *(vi) The name and description of each program, goods, or asset*
29 *funded by state funds, including a description of the intended*
30 *outcome or benefit of the program, goods, or asset. Where possible,*
31 *the Web site shall provide a hyperlink to the applicable program,*
32 *grant, or contract under which the state funds were spent.*

33 *(vii) The results for past expenditures of state funds to that*
34 *program, goods, or asset, if available.*

35 *(viii) State audits, reports, or other documents relating to the*
36 *recipient of state funds or the program, goods, or asset funded by*
37 *the state funds, including a hyperlink to the audit, report, or*
38 *document, if available.*

39 *(ix) Any other information specified by the director.*

1 (B) Information in the database shall be an integrated part of
2 the fiscal information system developed under subdivision (j) of
3 Section 13337, and coded to match the Budget Bill so that the
4 public can easily track the Legislature's appropriation of funds
5 in the Budget Bill through the system of state expenditures to the
6 ultimate use of the state funds and view the available results of
7 those expended state funds.

8 (2) "Recipient" means a corporation, association, union, limited
9 liability company, limited liability partnership, nonprofit
10 corporation, grantee, contractor, *supplier*, city, county, city and
11 county, local governmental entity, and any other legal business
12 entity. "Recipient" does not include an individual recipient of state
13 funds.

14 (3) "State agency" means a state department, agency, office,
15 board, commission, bureau, or division, or the California State
16 University.

17 (4) "State audit or report" shall include any audit or report issued
18 by the Controller, State Auditor, a legislative committee, or state
19 executive entity relating to the recipient of state funds.

20 (5) "State funds" means state tax revenues, ~~state tax exemptions,~~
21 ~~or state tax credits.~~

22 (6) "Web site" means a Web site, accessible on the Internet and
23 with a link from the State of California Web site, that allows the
24 public, at no cost, to easily search for all of the information in the
25 database.

26 ~~(e) By January 1, 2010, the Controller, with the assistance of~~
27 ~~the Department of Technology Services, shall develop, operate,~~
28 ~~and maintain a Web site providing access to the information in the~~
29 ~~database regarding the 2008–09 fiscal year.~~

30 ~~(d) (1) Effective July 31, 2010, and by every July 31 thereafter,~~
31 ~~the Controller shall update the database for the prior fiscal year.~~
32 ~~The Controller may update the database throughout a fiscal year~~
33 ~~as new information becomes available.~~

34 ~~(2) A state agency shall provide the Controller with the~~
35 ~~information required to be included in the database no later than~~
36 ~~30 days after the information becomes available to the state agency.~~
37 ~~The Controller shall provide guidance to a state agency to ensure~~
38 ~~compliance with this section.~~

39 ~~(3) The Controller shall maintain information on the database~~
40 ~~for a minimum of 10 years.~~

1 ~~(e) The Controller shall not be considered in compliance with~~
2 ~~this section if the information required to be in the database is not~~
3 ~~available in an easily searchable manner, or the public is redirected~~
4 ~~to another state Web site, unless the other state Web site has the~~
5 ~~required information from all state agencies and each category of~~
6 ~~required information can be searched electronically in a single~~
7 ~~search.~~

8 (c) (1) *On or before March 15, 2009, the Department of*
9 *Finance, with the assistance of the Department of Technology*
10 *Services, shall develop a strategy to create, operate, and maintain*
11 *an Internet Web site that provides access to information in the*
12 *database.*

13 (2) *The strategy developed pursuant to paragraph (1) shall*
14 *include, but not be limited to, a plan for financing, developing,*
15 *operating, and maintaining the Internet Web site and database.*

16 (d) *Beginning no later than June 1, 2009, a state agency that*
17 *expends state funds shall implement a coding system that tracks*
18 *its expenditures of state funds consistent with the requirements of*
19 *the database.*

20 (e) *The Department of Finance shall assist a state agency to*
21 *comply with this section.*